

NOTICE OF MEETING Cochise County Planning and Zoning Commission

Wednesday, May 11, 2011 4:00 P.M.

Cochise County Complex
Board of Supervisors Hearing Room, Building G
1415 W. Melody Lane
Bisbee, Arizona 85603

AGENDA

1. 4:00 P.M. -- CALL TO ORDER

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

- 2. ROLL CALL (Introduce Commission members, explain quorum and requirements for taking legal action.)
- **3. CALL TO THE PUBLIC** (Opportunity for members of the public to speak on any item not already on the agenda).
- 4. APPROVAL OF PREVIOUS MONTH'S MINUTES
- 5. NEW BUSINESS

Item 1 -- Introduce Docket and advise public who the applicants are.

<u>PUBLIC HEARING, DOCKET SU-11-04</u>: The Applicants request a Special Use Permit in order to complete and operate a private landing strip in an RU-4 Zoning District, pursuant to Section 607.14 of the Zoning Regulations. The airstrip is proposed as a "maintenance strip", and is to be for the Applicants' personal use only. The subject parcel (Parcel # 107-44-003) is located at 780 North Nanas Trail, East of Sierra Vista, AZ.

The Applicants are Dennis and Virginia Kunkel of the same address.

ANNOUNCE ACTION TAKEN -- (Note: Any individual disagreeing with this action has the right to appeal to the Board of Supervisors within 15 days. An application for appeal is available this afternoon with the Clerk, at our office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the "Permits and Packets" link.)

- 6. DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS
- 7. RECENT BOARD OF SUPERVISORS' ACTIONS
- 8. CALL TO COMMISSIONERS ON RECENT MATTERS
- 9. ADJOURNMENT

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

COCHISE COUNTY PLANNING & ZONING COMMISSION MINUTES

Meeting of Wednesday, March 9, 2011

The regular meeting of the Cochise County Planning & Zoning Commission was called to order at 4:00 p.m. by Chair Basnar at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors Board Room.

ROLL CALL

Chair Lynch noted the presence of a quorum. He then introduced the Commissioners to the public. Chair Lynch then explained to the audience the procedures for considering a docket.

Roll Call

Present: Jim Martzke, Duane Brofer, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Absent/Excused: Rusty Harguess, Cruz Silva, Pat Edie.

APPROVAL OF THE MINUTES

Motion made by Commissioner Brofer to approve the minutes from the February 9, 2011

meeting. Motion: Approve the minutes from the February 9, 2011 meeting,

Action: Approve, Moved by Duane Brofer, Seconded by Gary Brauchla.

Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Duane Brofer, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Abstain: Jim Martzke.

Cruz Silva then entered the meeting.

CALL TO THE PUBLIC

Chair Lynch opened the meeting to the public, being there was no one who wished to speak; Chair Lynch closed the "Call to the Public"

Item 1

<u>Docket SU-04-16A</u>: Commissioner Brofer recused himself from the discussion as he lives in the PDS Subdivision. Planner Keith Dennis presented the docket for a Special Use Modification from the Planning and Zoning Commission. In 2004, the Commission authorized a Special Use (SU-04-16), allowing a property owners' association office on the property, per Section 906.12 of the Zoning Regulations (Civic, Social, Fraternal or Business Associations). The Commission approved at that time a 10-foot setback along the East side of the property.

The Applicants are requesting a modification to this standard, to allow a 2-foot setback for the administrative building, situated along the East side of the property. The subject parcel (105-93-028) is located at 4817 S Apache Avenue, near Sierra Vista, Arizona. Mr. Dennis presented photos and a site plan of the property showing the location of the administration building. He further explained the factors in favor and against, and explained staff had received letters in support and no letters opposed.

Chair Lynch asked for the Applicant's statement

Kathy Hoffard of the Pueblo Del Sol Property Owners' Association stated the building was placed in its current location because Fry Fire told them it could not be placed in the approved spot, they wanted it place in the current location. She further stated the property is owned by Fry Fire.

Chair Lynch opened the meeting to the public, being there was no one who wished to speak he closed the meeting to the public.

Mr. Dennis stated staff recommends approval with the conditions stated in the memo.

Motion: Motion to approve the Special Use Modification with the conditions stated by staff. Factors in favor findings of fact, **Action:** Approve, Moved by Jim Martzke, Seconded by Cruz Silva.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jim Martzke, Duane Brofer, Cruz Silva, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Item 2

<u>Docket SU-04-01A</u>: Planner Keith Dennis presented the docket for a Special Use Modification from the Planning and Zoning Commission. An RV Park with 2 spaces exists on the property, with associated shooting range, equestrian facilities and proprietor's residence. The Applicants propose to expand the use with the addition of 12 new RV spaces with electrical, septic and water utilities for the spaces. A laundry facility is also proposed, as is a new entry feature. The subject parcel (Parcel No. 104-21-022) is located 919 W. SR 82 in Tombstone, AZ. Mr. Dennis presented maps and photos showing the location of the property and a site plan of the proposed RV spaces. He further explained the factors in favor and factors against the proposal. Mr. Dennis stated staff had received one letter in support and no letters opposed.

Mr. Bemis asked if there would be a sewer dump station.

Mr. Dennis stated they are proposing a new septic system.

Chair Lynch asked for the applicant's statement.

Doug Evans of Tombstone Livery, Applicant, stated the gravel surface had eroded and they had never had any complaints from their customers for the surface not being graveled. He further stated they keep the horses contained in secure stalls, and have never gotten loose.

Chair Lynch opened the meeting to the public, being there was no one who wished to speak, he closed the meeting to the public.

Chair Lynch asked if the Commission could waive the requirement for a cattle guard.

Karen Lamberton, County Transportation Planner, indicated that the State has a policy to require cattle guards under these circumstances, and that fulfilling the requirement is between the Applicant and the State.

Mr. Bemis asked if the County requires a cattle guard, does that put the liability on the County.

Britt Hansen, County Attorney, stated the County would not be liable.

Mr. Dennis stated recommends conditional approval, with the conditions stated in the staff report with the deletion of Condition 2 and the waiver requested by the applicant.

Motion: Motion to approve SU-04-01A with the Conditions stated by the staff, and the deletion of Condition 2, **Action:** Adjourn, **Moved by** Ron Bemis, **None seconded**.

Motion: Amend the motion to allow the waiver for the gravel surface, and the modification for the height limit on sign. **Action:** Amend, **Moved by** Ron Bemis, **Seconded by** Cruz Silva.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jim Martzke, Duane Brofer, Cruz Silva, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Item 3

<u>Docket SU-11-02</u>: Planner Keith Dennis presented the docket for a Special Use authorization from the Planning and Zoning Commission for Manufacturing in a General Business District, per Section 1205.01 of the Zoning Regulations. The Applicant proposes to utilize an existing 3,600 square-foot building on a 7,314 square-foot parcel as a welding and powder coating operation. The subject parcel (Parcel No. 106-70-103) is located 108 N. 6th Street in Sierra Vista, AZ. Mr. Dennis presented maps and photos showing the location of the property and a site plan of what has been proposed. Mr. Dennis explained factors in favor and factors against; he further stated staff had received 5 letters in support and no letters opposed.

Mr. Bemis asked if the application went before the fire marshal for approval.

Mr. Dennis stated they had addressed those issues in the Building Code review.

Chair Lynch asked for the Applicant's approval.

Steve Murphy of Arc Works Welding, Applicant, stated he has moved his business from 5th Street when the building he was located in was sold.

Mr. Abrams stated he knows the area and this is a good area for the proposal.

Chair Lynch opened the meeting to the Public, being there was no one who wished to speak he closed the meeting to the public.

Mr. Dennis stated staff is recommending conditional approval with the Conditions stated in the staff report. He further stated staff recommends approval of the Modifications and Waivers.

Motion: Approve the Special Use with the condition, waivers and modifications stated by staff. Factors in favor are the findings of fact, **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jim Martzke, Duane Brofer, Cruz Silva, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Item 4

<u>Docket Z-11-01</u>: Interim Planning Director Michael Turisk presented the docket for a request to downzone a parcel of land from SR-43 (Single-Household Residential, minimum lot size 1-acre) to RU-4 District (Rural, minimum lot size 4-acres). The subject property (Parcel 206-21-194B) is approximately 4.3-acres in size and is currently undeveloped. It is located at the corner of N. Cochise Stronghold Rd. and W. Apache Way in Sunsites, AZ. Mr. Turisk presented maps and photos of the area and explained the zoning and characterization of the surrounding properties. He further stated staff had received 1 letter in support of the proposed downzoning.

Chair Lynch asked for the Applicant's statement.

Mr. Turisk stated the Applicants are out-of-state and would not be present. Chair Lynch opened the meeting to the public, being there was no one who wished to speak, he closed the meeting to the public

Mr. Turisk stated staff recommends forwarding a recommendation of approval to the Board of Supervisors with the Conditions stated in the staff report.

Motion: Motion to forward a recommendation of approval to the Board of Supervisors with the conditions stated in the staff memorandum, **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Ron Bemis.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jim Martzke, Duane Brofer, Cruz Silva, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Item 5

<u>Docket R-11-01:</u> Interim Planning Director Michael Turisk presented the docket for consideration of an amendment to Article 18 of the Zoning Regulations, Pursuant to A.R.S. § 36-2806.01, to provide for site development standards and land use restrictions for medical marijuana dispensaries, growing facilities, and caregiver activities. Proposition 203 (Arizona Medical Marijuana Act) was passed by Arizona voters last November and allows residents in the state with specific medical conditions to be treated with certain amounts of marijuana. The addition of medical marijuana-related activities to Article 18 (Site Development Standards) would be accompanied by text changes to Article 2 (Definitions) and amendments to various Zoning District Articles.

Mr. Abrams asked if the County was making it difficult to allow the dispensaries in the County.

Mr. Turisk stated the County does not want to over regulate or zone out the dispensaries.

Carlos De La Torre, Community Development Director explained to the Commission that at this time the County is only concerned with the land use issues for proposed 6 licenses that Cochise County would receive. The individual growers, such as caregivers and patients, would be regulated by the State.

Mr. Martzke asked if the County is going to limit where the dispensaries will be located.

Mr. Turisk stated the areas will be chosen by the Community Health Analysis Areas, and that the County will not be concerned with caregivers and patients.

Chair Lynch opened the meeting to the public.

Jerry Burns stated the State set up the ordinance to allow 90% of the State to be covered by a dispensary. Therefore there will be few personal growers. He further stated that the state designed the ordinance to allow for 1 dispensary for every 10 pharmacies.

Bill Skalak stated that as long as the dispensaries are located in the city areas there will be very few people that are growing their own. He further stated that the 300-foot building-to-building setback is crucial, as it allows for more properties to qualify.

Chair Lynch closed the meeting to the public.

Mr. Silva asked if the request is located within incorporated city limits, would it still be regulated by the County.

Mr. Turisk stated it would not.

Mr. Turisk stated staff recommends forwarding a recommendation of approval to the Board of Supervisors for approval.

Motion: Motion to forward a recommendation of approval to the Board of Supervisors with a modification to eliminate other Counties from growing in Cochise County., **Action:** Approve, **Moved by** Ron Bemis, **Seconded by** Duane Brofer.

Britt Hansen stated that he doesn't believe it would be legal to not allow other dispensaries to grow in Cochise County.

Mr. Bemis stated he was withdrawing the motion, and Mr. Brofer withdrew his second.

Motion: Forward a recommendation of approval to the Board of Supervisors, **Action:** Approve, **Moved by** Ron Bemis, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

Yes: Jim Martzke, Duane Brofer, Cruz Silva, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

PLANNING DIRECTOR'S REPORT

- 1. Mr. Turisk announced Beverly Wilson being rehired as Senior Planner.
- 2. Next month's dockets will include a Comp Plan update and 2010 Census information.
- 3. The Special Use for Mary Jo Ballator approved last month has been appealed, and will be heard on 12 April.

CALL TO COMMISSIONERS

Mr. Brofer stated that on March 17th, 2011, there will be a seminar on employer/employee responsibilities for medical marijuana.

Mr. Turisk asked if the Commission would be interested in having Commissioner training prior to future meetings; the Commission agreed they would.

ADJOURNMENT

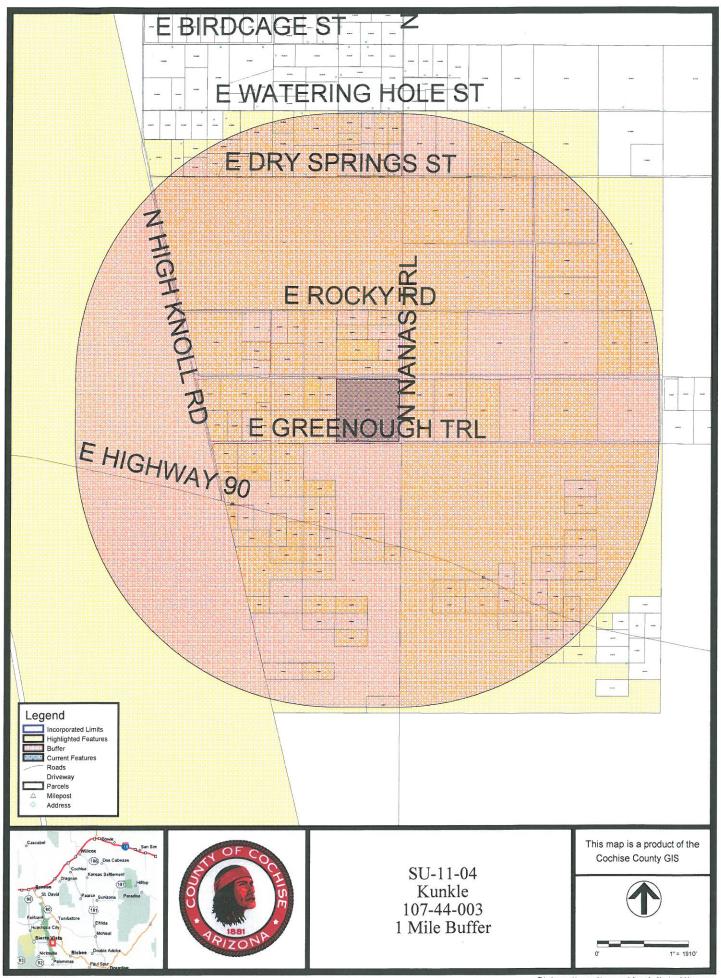
Motion: Motion to Adjourn at 6:30 p.m. **Action:** Adjourn, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Planning & Zoning Commission Meeting <u>Sign in Sheet</u>

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PLEASE PRINT

NAME	ADDRESS	PHONE #	ITEM#
1. DONOLAS ENANS	ADDRESS TOMBITERE LIVERY+RV 919 W, HWY 82 TOMBSTONE	457-3559	#2
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COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240 Fax 432-9278

Carlos De La Torre, P.E., Director

MEMORANDUM

TO:

Cochise County Planning and Zoning Commission

FROM:

Beverly Wilson, Senior Planner

For: Michael Turisk, Interim Planning Director

SUBJECT:

Docket SU-11-04 (Kunkel)

DATE:

April 29, 2011, for the May 11, 2011 Meeting

APPLICATION FOR A SPECIAL USE

The Applicants request a Special Use Permit in order to complete and operate a private landing strip in an RU-4 Zoning District, pursuant to Section 607.14 of the Zoning Regulations. The airstrip is proposed as a "maintenance strip", and is to be for the Applicants' personal use only.

The subject parcel (Parcel # 107-44-003) is located at 780 North Nanas Trail, East of Sierra Vista, AZ. The Applicants are Dennis and Virginia Kunkel of the same address.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Size:

40 Acres

Zoning:

RU-4 – Rural, one dwelling unit per four acres

Growth Area:

Category D - Rural

Plan Designation:

Rural

Area Plan:

Sierra Vista Sub Watershed

Existing Uses:

Single-family residence, accessory buildings, and a 1,300 foot airstrip

Proposed Uses:

Same, but with the authorization to use the existing 1,300 foot runway

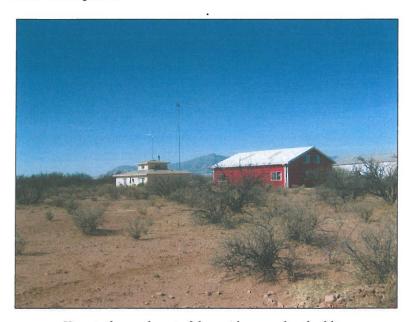
Surrounding Zoning

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Rural Residential
South	RU-4	Undeveloped Land
East	RU-4	Undeveloped Land
West	RU-4	Rural Residential

II. PARCEL HISTORY

A permit was issued in October of 2004 for constructing a home, two outbuildings, and a septic system.

In 2007 - 2008, the Applicants cleared the runway, and installed a culvert. The Applicants claim that they were informed by County Staff that if they cleared less than one acre per year, no Clearing Permit would be required.



View to the southwest of the residence and outbuilding.

III. PROJECT DESCRIPTION

The Applicants seek a Special Use Permit in order to complete construction of a 1,300 feet long by 50 feet wide runway on the property. This runway will be used for occasional maintenance on the 1972 Grumman AA5 Single engine aircraft, which the Applicants own. It is normally based at the Bisbee Municipal Airport, but has been trucked in to the subject property for repairs. Currently, the plane is inside the large outbuilding on the property. It is a single engine, 4-seat plane, and is considered a "Single Light General Aviation Aircraft." The specifications for the minimum distance needed for takeoff and landing is 800 feet. At 1,300 feet, the proposed runway would be adequate for this aircraft.

The Applicants also state the frequency of flights will be held to a minimum of two per month.

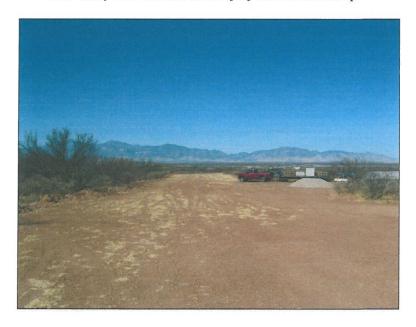
IV. ANALYSIS OF IMPACTS

Impacts associated with an airstrip would include visual, noise and dust impacts. Such off-site impacts would be generated primarily when the aircraft takes off and lands. Other possible impacts could include an alteration of the drainage pattern on the property. The impact on the overall drainage pattern in the area is not known at this time, but it is known that the area experiences significant sheet flow during monsoon season and the proposed airstrip is adjacent to the 'Sandy Bob Wash', a significant wash.

While the project site is more than 13 miles from the nearest airport (Libby Army Airfield), and would not normally have any impact on the flight path, the US Army Garrison on Fort Huachuca, has asked that during times of daylight operations, the pilot will need to contact Libby Radar Approach and advise of his intentions during take-offs and landings. Staff recommends as Condition #3, that the Applicant observe this protocol.



Above: Currently, the plane is dismantled for repair and is being stored inside the large shed on the property. Below: View to the west. Sandy Bob wash lies to the left of the cleared airstrip.



V. COMPLIANCE WITH SPECIAL USE FACTORS (SECTION 1716.02)

Section 1716.02 of the Zoning Regulations provides a list of 10 criteria with which to evaluate Special Use applications. These are considered factors in determining whether to approve a Special Use Permit, as well as to determine what conditions and/or modifications may be needed. Seven of the 10 criteria apply to this request. The project complies with four criteria as submitted and three criteria with a waiver and conditions.

A. Compliance with Duly Adopted Plans: Complies

The project site is within the boundary of the Sierra Vista Sub-watershed Water Conservation and Management Policy Plan. No additional on-site ground water usage is proposed for this

special use. In addition, the Applicants have installed a 500-gallon above-ground rainwater-harvesting tank, which is filled from one of the two outbuildings. The water is then utilized for a limited number of drought-tolerant trees and shrubs. The project would comply with the intent for a Category D Growth Area, which states that projects not appropriate for more densely populated areas may be appropriate for these categories.

Any person seeking to construct a new airport, decommission any airport, or significantly modify an existing airport must submit an application to the Federal Aviation Administration Form 7480-1 ("Notice of Landing Area Proposal"). The form includes provisions for penalties under federal law for violating these rules. The Applicants plan to file this report when this Special Use process is completed; Condition #4 would ensure compliance with this Federal regulation.

B. Compliance with the Zoning District Purpose Statement: Complies

The project would comply with the purpose statement for RU Zoning Districts as listed in Article 6 of the Zoning Regulations, in that land uses not appropriate for more densely populated areas would be appropriate as Special Uses in these Districts.

C. Development Along Major Streets: Not Applicable

D. Traffic Circulation Factors: Complies (Subject to Condition #3)

All vehicular traffic to and from the site is to be residential in nature. As a private landing strip, no commercial land uses are proposed as part of this Special Use request. However, the potential for safety hazards remains possible, due to less experienced pilots or larger aircraft attempting to use the landing strip. As such, staff recommends limiting the use of the landing strip to the Applicants and the small aircraft they propose, save for emergency situations (See Condition #3).

E. Adequate Services and Infrastructure: Does not Comply (See Requested Modifications)

The Applicants seek a Special Use Permit for what is otherwise a residential home site. The property is served by an on-site well and septic system; electricity is provided by SSVEC. However, the project site is not served by a Fire Department service area.

High Knoll Road, Silver Spur Street, and Nana's Trail are primitive roads accessing a limited number of RU-4 home sites and properties. Due to the nature of the request, in which no additional residential or any non-residential traffic is proposed, it is anticipated that these roads are adequate for the proposed use. However, for a non-residential building permit to be issued for this property, a secure means of access from the property to the nearest County-maintained road, or a road in which a private maintenance agreement is in place, is required by standard. (See Requested Modifications).

F. Significant Site Development Standards: Complies (See Conditions #2 and #4 and Requested Modifications)

The Applicants have already cleared a large portion of the proposed runway as a firebreak. The proposed runway would be 50' wide by 1300' long, exceeding the one-acre minimum, therefore requiring a Land Clearing Permit. The proposed runway will follow the "Sandy Bob" wash – a

significant drainage way. Any potential impact to this waterway will be examined during the land clearing permit process (See Condition #2).



Westward view of a culvert, installed by the Applicant in consideration of drainage.

The airstrip runs most of the length of the property and terminates at or near the Applicants' Western property line. Special Uses in an RU District are to be set back no less than 40 feet. Condition #4 would ensure this standard is met, prior to permit issuance.

The Applicants have requested three modifications to development standards, all of which are intended to "keep things the way they are" (See Attachment H). The standard requiring a 2-inch deep gravel surface is one; the 24-foot two-lane driveway requirement is another. Finally, the Applicants are members of a road maintenance improvement district responsible for maintaining area roads. The private maintenance agreement typically required of Special Use Applicants is the subject of the third modification request.

G. Public Input: Complies

The Applicants conducted a vigorous Citizen Review process. Of the seven responses they received, all were positive.

H. Hazardous Materials: Not Applicable.

I. Off-site Impacts: Does Not Comply (See Condition #2)

A Land Clearing Permit is required for the clearing of more than one acre of land for any purpose. The Highway and Floodplain Department requires that persons seeking to clear more than one acre of land for any purpose except road construction include a drainage report with the Land Clearing Permit application. Should the Commission grant the Special Use, staff recommends the Applicants be required to complete the Land Clearing Permit application, including a drainage report (Condition #2).

Without a drainage report, as required by Highway and Floodplain for land clearing permits, possible storm water runoff impacts cannot be determined nor mitigated.

J. Water Conservation: Not Applicable

VI. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 1,500 feet. Staff posted the property as required, and published a legal notice in the San Pedro Valley News-Sun on April 21, 2011. To date, the Department has received two letters of support, and no letters of opposition to the Special Use request. One neighboring property owner did phone in an objection to the proposal. Staff fielded the call. The objection was based on the rural residential character of the neighborhood and safety concerns.

VII. SUMMARY AND CONCLUSION

Factors in Favor of Allowing the Special Use

- 1. The site is suitable for the proposed Special Use, due to its location in a relatively undeveloped area, away from densely populated areas or other airports;
- 2. The proposal would comply with the RU District purpose statements;
- 3. The requested Special Use is not anticipated to generate any additional residential, nor any non-residential traffic; and
- 4. Seven neighboring property owners support the Special Use request.

Factors Against Approval

- 1. The Applicants have, over time, constructed the airstrip without first obtaining a Special Use Permit, nor a land clearing permit. However, it does not appear that the airstrip has been in operation at any time; and
- 2. One neighboring property owner expressed objection to the proposal.

VIII. RECOMMENDATIONS

Based on the factors for approval, Staff recommends **conditional approval** of the Special Use request with the following Conditions:

1. Within thirty (30) days of approval of the Special Use Permit, the Applicants shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicants shall submit and obtain a building/use permit for the airstrip within 12 months of approval, including a completed joint permit application. The building/use permit shall include a site plan in conformance with this approval and meeting all site development standards except as modified/waived, the completed special use permit questionnaire, and appropriate fees. A permit must be issued within 18 months of the special use approval, otherwise the special use approval may be deemed void upon 30-day notification to the Applicants;

- 2. Prior to operation, the Applicants shall submit and obtain a Land Clearing Permit to include the requirements of the Highway and Floodplain Department regarding drainage studies to mitigate potential impacts from the runway construction;
- 3. The landing area shall be used solely by the Applicants during daytime hours, and is not to be used by any other person or by a larger aircraft except during emergencies. The Applicant shall notify Libby Army Airfield prior to takeoff or landing at the facility. Operations above 700 feet Above Ground Level will require adherence to Class E Airspace protocols;
- 4. Prior to issuance of a building permit, the Applicant shall revise the site plan to provide a minimum 40-foot setback for the airstrip, from all property lines;
- 5. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations. This includes FAA approval of the airstrip (FAA Form 7480-1, "Notice of Landing Area Proposal"); and
- 6. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission.

IX. REQUESTED MODIFICATIONS TO SITE DEVELOPMENT STANDARDS

The Applicants request the following Modifications to site development standards:

- 1. A Waiver from the 2-inch deep gravel surfacing requirement for internal driveways and parking areas;
- 2. A Modification to allow the existing driveways to remain as they are currently (12 foot driveways; 24 feet required); and
- 3. A Waiver from the Private Maintenance Agreement requirement.

X. ATTACHMENTS

- A. Special Use Application
- B. Location/Surrounding Zoning Map
- C. Site Plan
- D. Transportation Planner Comments
- E. Citizen Review
- F. Public Comment
- G. US Army Garrison Comments
- H. Requested Modifications





COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning & Building Safety 1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240 Fax 432-9278

COCHISE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER: 107-44-003 8	
APPLICANT: KUNKEL FAMILY OF AZ, LIV, TRUST, Vicyioia K. Kunkel	
MAILING ADDRESS: 780 N. NANAS TRAIL	
CONTACT TELEPHONE NUMBER: 520-236-9737	
PROPERTY OWNER (IF OTHER THAN APPLICANT): SAME	
ADDRESS:	
DATE SUBMITTED: MARCH 2011	
Special Use Permit Public Hearing Fee (if applicable) Building/Use Permit Fee Fotal paid S Total paid	
PART ONE - REQUIRED SUBMITTALS	

- 1. Cochise County Joint Application (attached).
- 2. Questionnaire with all questions completely answered (attached).
- 3. A minimum of (9) copies of a site plan drawn to scale and completed with <u>all</u> the information requested on the attached <u>Sample Site Plan</u> and list of <u>Non-residential Site Plan Requirements</u>. (In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
- 4. Proof of ownership/agent. If the applicant is <u>not</u> the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
- 5. Citizen Review Report, if special use.

"Public Programs, Personal Service" www.cochise.az.gov

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- 6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
- Hazardous or Polluting Materials Questionnaire, if applicable.
 OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT
- 1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
- 2. Off-site Improvement Plans
- 3. Soils Engineering Report
- Landscape Plan
- 5. Hydrology/Hydraulic Report
- 6. Traffic Impact Analysis (TIA): Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.
- 7. Material Safety Data Sheets
- 8. Extremely Hazardous Materials Tier Two Reports
- 9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. Attach separate pages if the lines provided are not adequate for your response. Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

KI.	What is the existing use of the property? RU-4 residential home
	What is the proposed use or improvement? adding an airstrip
	Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do think these activities will have on neighboring properties?
	for maintenance purposes. Aircraft based at Bisbee

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	Describe all intermediate and final products/services that will be produced/offered/sold.					
	none- this is not a commercial activity					
	Advisority Agencies on communication	Angualment of a collision of the collisi				
5.	construction Will the r	terials will be used to construct the building(s)? (Note, if an existing building(s), please list the on type(s), i.e., factory built building, wood, block, metal) 2. additional Ruildings existing buildings are ahouse and two utility buildings or existing buildings are ahouse or oject be constructed/completed within one year or phased? One Year				
7.	Provide th	ne following information (when applicable):				
Α.	Days and	hours of operation: Days: Hours (from AM to PM)				
3.	Number o	f employees: Initially: Future: Future: For personal use only per per shift Seasonal changes None- For personal use only				
~,	Total aver	age daily traffic generated:				
	(1)	How many vehicles will be entering and leaving the site. Only personal vehicles - this will not be for commercial use Total trucks (e.g., by type, number of wheels, or weight)				
	(2)	Total trucks (e.g., by type, number of wheels, or weight) Only per sonal I ton pickup truck				

	(3)	Estimate which direction(s) and on which road(s) the traffic will travel from the site?				
		To and from residence via N. Nanas Trail & E. Silver Spur St.				
	(4)	If more than one direction, estimate the percentage that travel in each direction				
	glacements of the second second second	surrounding roads end at residence				
	(5)	At what time of day, day of week and season (if applicable) is traffic the heavies				
		daylight hours - traffic negligible				

D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan. Estimated total gallons of water used: per day per year per year					
E. Will you use a septic system? Yes No_ If yes, is the septic tank system existing? Yes No_ Show the septic tank, leach field and 100% expansion area on the site plan.					
F. Does your parcel have permanent legal access*? Yes No If no, what steps are you taking to obtain such access?					
*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non- residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. Does your parcel have access from a (check one):					
H. Identify how the following services will be provided:					
Service Utility Company/Service Provider Provisions to be made					
Water Well					
Sewer/Septic Septic - installed					
Electricity SSVEC					
Natural Gas none Telephone none cell phones					
Telephone pene - dell phones Fire Protection pape - pot in fire district - we have fire break from	7				
tree on wash and a					
and and a contract					
SECTION B - Outdoors Activities/Off-site Impacts large Steel Water					
1. Describe any activities that will occur outdoors. Storage tunk on property near buildings					
Take off and landing of small aircraft					
of flights less than two per month.					
of stights less than two per month.					

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2.	Will outdoor storage of equipment, materials or products be needed? Yes No if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.
3.	Will any noise be produced that can be heard on neighboring properties? Yes No if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? O / S C O / V A
4.	Will any vibrations be produced that can be felt on neighboring properties? Yes No if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties?
5.	Will odors be created? Yes No If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?
6.	Will any activities attract pests, such as flies? Yes No If yes, what measures will be taken to prevent a nuisance on neighboring properties?
	Will outdoor lighting be used? Yes No If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.
8.	Do signs presently exist on the property? Yes No If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.
	A B C D,
9.	A. B. C. D. D. Will any new signs be erected on site? Yes No If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and FILL OUT A SIGN PERMIT APPLICATION (attached).

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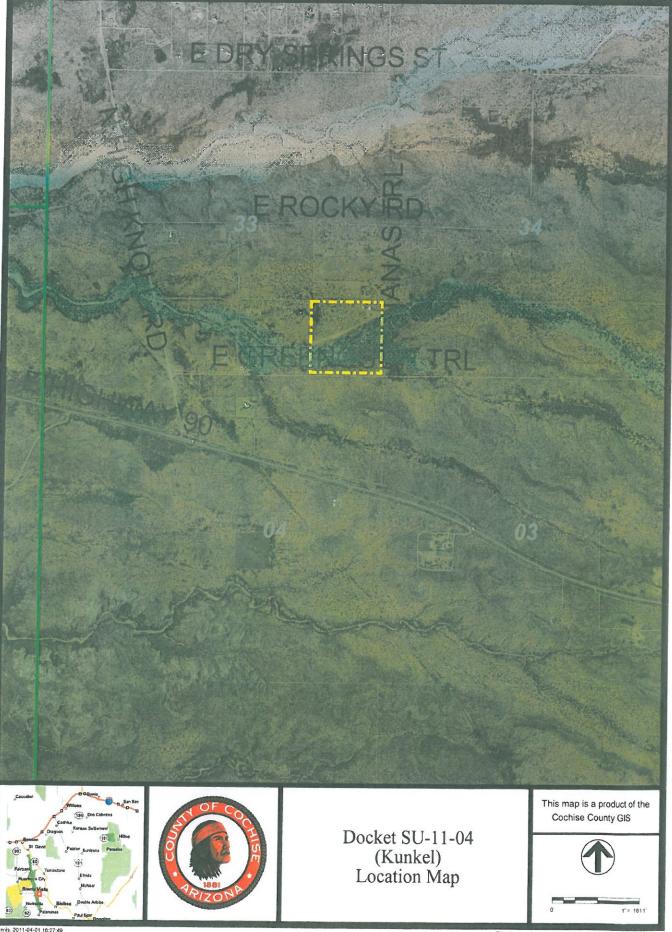
10.	Show on-site drainage flow on the site plan. Will drainage patterns on site be changed? Yes No
	If yes, will storm water be directed into the public right-of-way? YesNo
	Will washes be improved with culverts, bank protection, crossings or other means? Yes No
	If yes to any of these questions, describe and/or show on the site plan. Small culver on Str.
demonds *	What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)
	Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)
13.	Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)? Yes No If yes, show details on the site plan. Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.
	SECTION C - Water Conservation and Land Clearing
Thomas A	If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Community Development, Planning, Zoning & Building Safety Department has prepared a Water Wise Development Guide to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.
	We already collect rainwater off one whility
	building routed to tank for land scape
	Irrigation. This is a dirt strip with no
	Tank scaping lorg than large
2.	How many acres will be cleared? 1655 Than 1666 If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used
	(Show on site plan if appropriate.)
	(DHOM OU STO Summy whose was

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SECTION D - Hazardous or Polluting Materials

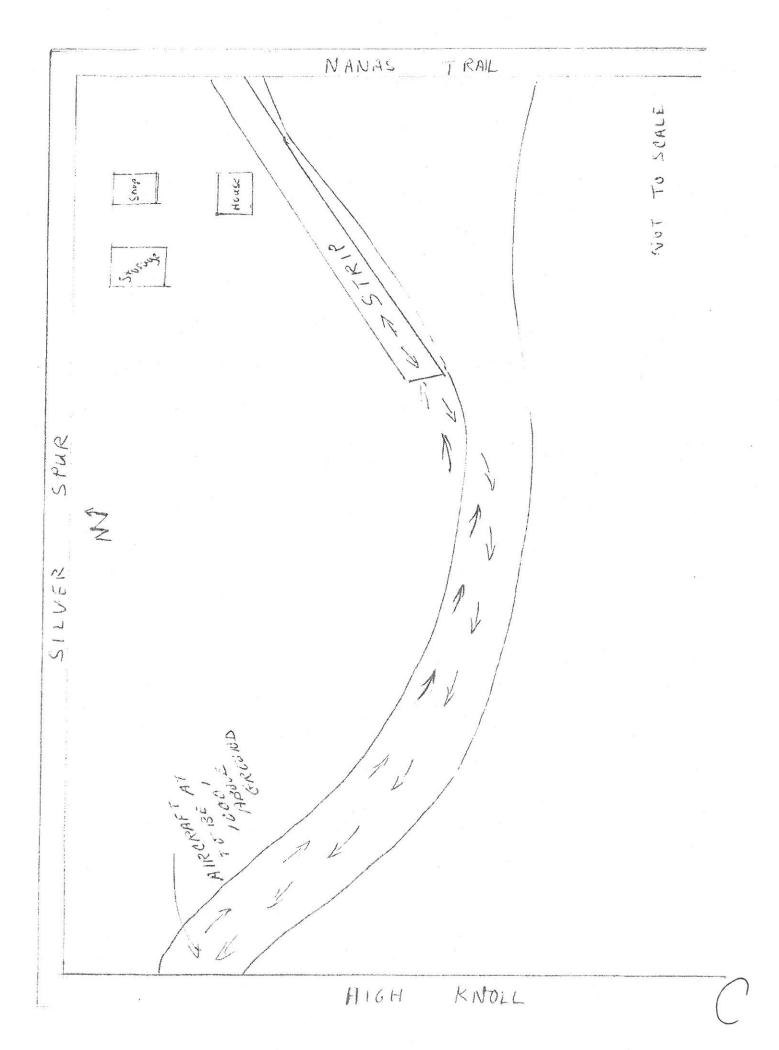
Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.			
No Yes If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.			
Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)			
SECTION E - Applicant's Statement			
I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial User Building/ Special Use Permit. Applicant's Signature Date signed March 7, 30//			



PARCEL # 107-44-003 8 780 N. NANAS TRAIL SIERRA VISTA, AZ 85635 12 = 100

1320 N. Nanas Trail easement DRIVE Vegetation Works out OF AZ LIVING TRUST natura STRIP Well Silver Spurst E. Greenaugh Trail (extension) in a funal Vegetation House Kun Kel NO TU - Width Variable vegetation (-STRIP-STRIP-STRIP 12701 子。 1320 争 Basement Wash Z KUNKEL FAMILY Dennis J. & Virginia K 20 40 egetati ma tural depth 3 182 182 182 182 STRIP-1260' 4

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COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240 Fax 432-9278

Michael Turisk, Interim Planning Director

MEMORANDUM

TO:

Keith Dennis, Senior Planner

FROM:

Karen L. Lamberton, County Transportation Planner

SUBJECT:

Kunkle Airstrip/SU-11-04/Parcel #107-44-003

DATE:

April 13, 2011

The applicant is applying for a Special Use Permit for a private airstrip. The airstrip is proposed to serve a dual purpose of also being a cleared fire-break on the applicant's 40 acre parcel. The airstrip is intended for the use of a single light general aviation aircraft (currently the applicant owns a 1972 Grumman AA5 single engine aircraft) based at the Bisbee Municipal Airport.

Access to this site is via public easements to the subject parcel from State Route 90 to High Knoll Rd., to Silver Spur St. and intersecting with Nanas Trail (primitive, native surfaced roads that are not county-maintained).

Pilots have a duty to conduct their flying operations in a "prudent" manner but the Federal Aviation Authority does not specifically regulate private, restricted airstrips. Adequate take off and landing airspace is needed with a requirement that private general aviation planes maintain an altitude of 500 feet above any structures thus the need for a landing strip sized to allow the descent and lift-off at take-off and landing (C4 CFR 91). Every airstrip is then site specific in terms of what might safe and prudent.

The applicant is proposing a runway of at least 1,300 feet in length by 50 foot in width which, according to FAA Advisory Circular No 150/5325-4B, meets the minimum expected length for small general aviation planes traveling at approach speeds of 75-90 knots and allows for an adequate angle of approach and take offs on the airstrip.

Recommendations

The Applicant should be advised that maintaining adequate and safe landing conditions may include:

- Removal of all trees, scrubs and vegetation along the length of the landing strip;
- Learing of all obstacles such as large rocks or tree stumps along the length of the landing strip;



- Monitoring the height of vegetation in the immediate path of take off and landing, taking into account any natural slope in the area;
- ♣ Preparing and maintaining an even surface area free from bumps, holes and ruts with a smooth and packed landing surface; and
- ♣ Addressing drainage and rain/flood water impacts to the landing strip surface area.

The applicant should be aware of his duty to report the airstrip to the FAA labeled as a private, restricted airstrip. The applicants should also be aware of, and adhere to, flight restrictions related to national boundaries and military airspace.

We have no off-site mitigation requirements for this applicant and have no objection to granting the requested permit.

cc: SU-11-04; Diane Cratsenburg, Highway Department



February 20, 2011

Dear Neighbors,

As most of you who know us know, we have been building our retirement home on our "forty" acres. We have built a small but comfortable adobe house with a storage shed and a shop. We own and maintain old tractors, old cars and old airplanes. These past few years we have slowly cleared a bit of land along the north side of a wash that runs through our property for a fire break. We would like to continue widening the fire break to make a combination firebreak/maintenance airstrip.

We own a small 1972 single engine aircraft, which is currently undergoing extensive maintenance/repairs. Our current base of operation is Bisbee Municipal Airport.

Cochise County Planning and Zoning rules require a Special Use Permit for an airstrip. In order to be a good neighbor, as well as to satisfy requirements of this permit, we will establish the following rules for the airstrip:

- 1. It is a maintenance strip only.
- 2. Because of the terrain we will make the landing approach and departure over the wash (east/west).
- 3. Because of the slope of the wash takeoffs will be from the east, toward the west and landings will be from the west, toward the east.
- 4. No night or bad weather operations.
- 5. No over-flight of any residential areas (houses or people).
- 6. Our small aircraft will comply with the latest noise restrictions.
- 7. No more than two operations (takeoffs and landings) a month.

Most of us choose to live in the country to enjoy a little more room, a little less noise and fresh air. We plan on being good neighbors with our airstrip.

We have attached a sketch showing proposed approach and departure flight paths over the strip and adjacent lands.

Cochise County Planning and Zoning will, in the near future, send letters to surrounding property owners concerning this proposed special use.

We invite you to contact us via phone, email or US mail with any questions or concerns you may have.

Your neighbors,

Dennis & Guning kel Gunkel Dennis & Ginny Kunkel

Attachments

520-236-9737

Skyline2@live.com

780 N. Nanas Trail

Sierra Vista, AZ 85635

Inbox (35) Folders Hotmail Windows Live" New Delete Not junk Sweep ▼ Mark as ▼ Move to ▼ Empty | Hotmail (35) We've moved the message to your inbox and marked the sender as safe. Go to your inbox Messenger (0) Office Photos | MSN denr

Back to messages

Proposed airstrip

To skyline2@live.com Paul Jones Add to contacts

3:53 PM

Sent: Thu 3/03/11 3:53 PM From: Paul Jones (proff11@powerc.net)

gmail

Deleted

New folder

Quick views

skyline2@live.com

Sent Drafts Junk

To: skyline2@live.com

Microsoft SmartScreen marked this message as junk and we'll delete it after ten days. Wait, it's safe! | I'm not sure, show content

Hello Mr. Kunkel

yourself of it. support and cooperation in this matter should you choose to avail should not be able to do this thing if you so wish. You have our well reasoned out and very convincing. I cannot see why you Rec'd your letter today vis a vis the proposed airstrip; I found it

property category. In any case, kudos on the general aspect of your organisation and some do not, and I believe I fall into the second than our own property, I am afraid. Some people have the gift for and pleasing to the eye. As a matter of fact, somewhat more so be exemplary in it's appearance and your buildings to be well kept respectful distance, I assure you.) and we found your property to We went down and looked at the proposed project (from a

someinteresting tools neither as grand as your own nor as well appointed, but I have We are up a bit on Watering Hole, almost to the corner. My shop is

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3/03/20

you need extra property for taxiways or anything let me know, and I'll sell you some of mine. Someday I might have to ask you if the Tucson Radio Control Club can have a fly-in sometime in the future. You have my Blessing and we hope it all works out for you... I received your letter about needing a landing strip near your home. Hooray, I say go for it. If

Sincerely, Paul & Joannie Kaylor.

DIKES

E

Airstrip

From: Patrick McCarrell (pm90254@hotmail.com)

Sent: Tue 3/08/11 4:29 PM

o: skyline2@live.com

Dennis and Ginny,

with it since we are both pilots (not current) and Airline Dispatchers. In fact, in our search for retirement acres south of you because it had a great view and is mostly surrounded by BLM land land, we had hoped to buy a large enough place so that we could also have an airstrip. We settled on 10 We got your advisory letter last week concerning the proposed airstrip. We certainly have no problem

of High Knol Rd. on the right. While we are building the house we occasionally camp there in our travel We'll be out there next week. Feel free to drop by if you get a chance. The road to our place is 1000' east

Take care.

Pat and Nancy McCarrell Trailer's phone: 310-245-3287

E

SPECIAL USE: Docket SU-11-04 (Kunkle)

YES, I SUPPORT THIS REQUEST Please state your reasons: what can it	hurt?
	4
NO, I DO NOT SUPPORT THIS REQUEST: Please state your reasons:	
(Attach additional sheets, if necessary)	
PRINT NAME(S): ALLEN D. ALEXANDER (DEC SIGNATURE(S): SIGNATURE(S): SIGNATURE	(EASED)
SIGNATURE(S): Samie H. allyander (WIEE)	
YOUR TAX PARCEL NUMBER: $10-19-036$ (the eight-digit ide from the Assessor's Office)	ntification number found on the tax statement
YOUR ADDRESS 8517 Eaking Mr. Bakersfield, C	n - 93311
Upon submission of this form or any other correspondence, it becomes part for review by the Applicant or other members of the public. Written common Department no later than 4 PM on May 24, 2011 if you wish the Commissionering. We can not make exceptions to this deadline, however, if you ming you may still make a statement at the public hearing listed above. NOTE: Commissioners to accept written comments or petitions at the meeting, as read materials at that time. Your cooperation is greatly appreciated.	of the public record and is available ents must be received by our sion to consider them before the ss the written comment deadline Please do not ask the
RETURN TO: Keith Dennis	COCHISE COUNTY
Cochise County Planning Department	1.11 V 1 BB00

MAY 01 2011

PLANNING

1415 Melody Lane, Building E Bisbee, AZ 85603 Email: kdennis@cochise.az.gov D--- (600) 422 0270

SPECIAL USE: Docket SU-11-04 (Kunkle)

/		8
YES, I	SUPPORT THIS REQUEST Please state your reasons:	
	2	
NO, I I	OO NOT SUPPORT THIS REQUEST:	
	Please state your reasons:	
(Attach addition	nal sheets, if necessary)	
PRINT NAME(S)	Marter L. Sims	DONNA C. SIMS
SIGNATURE(S):	West The Sim	Donna C. Sims
YOUR TAX PAR from the Assessor's	CEL NUMBER: 107-44-001 (the ei	ight-digit identification number found on the tax statement
YOUR ADDRESS	2612 Thunderbird Dr	SICHA VISTA, AZ-85680

Upon submission of this form or any other correspondence, it becomes part of the public record and is available for review by the Applicant or other members of the public. Written comments must be received by our Department no later than 4 PM on May 24, 2011 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.

RETURN TO: Keith Dennis

Cochise County Planning Department 1415 Melody Lane, Building E Bisbee, AZ 85603

Email: kdennis@cochise.az.gov

Fax: (520) 432-9278



RE Transmittal SU-11-04 (UNCLASSIFIED)

From: Wiley, Carl D Mr CIV USA [carl.wiley@us.army.mil]

Sent: Monday, April 04, 2011 5:42 PM

To: Dennis, Keith

Cc: Thompson, Carolyn Y Ms CIV USA IMCOM; Leisinger, Wesley A CIV USA

Subject: RE: Transmittal SU-11-04 (UNCLASSIFIED)

Signed By: There are problems with the signature. Click the signature

button for details.

Classification: UNCLASSIFIED

Caveats: FOUO

Keith,

I checked with our subject matter experts. Per their input our response is as follow:

- 1. The location of the projected airstrip, at 780 N. Nanas Trail, Sierra Vista, AZ, underlies Class E airspace. Although outside the approach corridor for Libby Army Airfield, it would operate in the general direction of East to West. Operations at or above 700 ft will entail operating within Class E airspace and application of those rules will apply. The projected airstrip is close to VR-263, which starts at 1,200 AGL.
- 2. During times of daylight operations, recommend the pilot contact Libby Radar Approach at (520) 538-2853 and advise his intentions.

Appreciate the opportunity to review and provide input on this matter.

Carl

Mr. Carl D. Wiley Plans Integration US Army Garrison Fort Huachuca, AZ (520)533-3295 DSN: 821-3295

FAX: (520) 533-2572

Classification: UNCLASSIFIED

Caveats: FOUO

Dennis, Keith

From:

dennis kunkel [skyline2@live.com]

Sent:

Monday, May 02, 2011 1:59 PM

To:

Dennis, Keith

Subject: Special Use Permit for Airstrip

Cochise County Planning

Mr. Keith Dennis,

We request waivers from the following since our airstrip will not be a commercial operation:

- 1) Waiver of 24 foot wide driveway requirement.
- 2) Waiver of 2 inch gravel for driveway and loading areas.
- 3) Waiver of maintenance agreement of private roads connecting to county maintained roads. Note that we are currently covered by a RIMD (road improvement maintenance district) which includes Nanas Trail, Silver Spur Street and High Knoll Road. (Reference HKR RIMD)

We want to keep everything as it exists now.

Thanks for your consideration,

Dennis & Ginny Kunkel